

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT _____

FILED

OCT 13 2021

Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga

Plaise Edward Spangler)
_____))
_____))
(Enter above the NAME of the
plaintiff in this action.))

1:21-cv-249

v.)
Wendy Baldwin/Barnette)
~~Morgan County~~)
Morgan County Authorities)
~~Morgan County~~)
Morgan County Authorities)
(Enter above the NAME of each
defendant in this action.))

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES () NO (✓)
- B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. COURT: (If federal court, name the district; if state court, name the county):

3. DOCKET NUMBER: _____
4. Name of Judge to whom case was assigned: _____
5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit: _____
7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: McMinn County but was at Meigs County

- A. Is there a prisoner grievance procedure in this institution? YES (✓) NO () At Both Jails
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure?
YES (✓) NO () At both Jail Kiosk
- C. If your answer is YES,
 1. What steps did you take? At Meigs County I spoke to guards and wrote on Cobra Kiosk and I wrote Nashville.
At McMinn County I spoke to guards, wrote on Cobra Kiosk, and tried to address the courts
 2. What was the result? Meigs County never reply back except I think once
McMinn County said they will check into it or ok but still haven't done anything to correct the errors
- D. If your answer to B is NO, explain why not. _____

- E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES () NO ()
- F. If your answer is YES,
 1. What steps did you take? _____

2. What was the result? _____

III. PARTIES

(In item A below, please place your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

A. Name of plaintiff: Plaise Edward Spangler
Present address: P.O. Box 640 Athens, TN, 37303
Permanent home address: Homeless now
Address of nearest relative: 500 mantle St., Athens, TN, 37303

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

B. Defendant: ^① Jackie Melton
Official position: Meigs County Sheriff
Place of employment: Meigs County Tennessee

C. Additional defendants: ^② Deputy N. Mowery
Meigs County Sheriff ~~Department~~ Deputy Badge #810
Meigs County Sheriff Department of Tennessee
cont. on added sheet.

IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

(C) Additional defendants: ⁽³⁾ Deputy Mowery partner

Meigs County Sheriff Deputy

Meigs County Sheriff Department of Tennessee

④ Kevin Eschette

Meigs County Sheriff Detective

⑤ Meigs County Sheriff Department of Tennessee

Susan Fuller

9th District Public Defender

9th District Public Defender Office of Tennessee

⑥ Kristen Kelly

Meigs County General Session court District Attorney

9th District Attorney Office of Tennessee

⑦ Jared Price

McMinn County Sheriff Detective

McMinn County sheriff Department of Tennessee

On Oct. 16, 2020 I, Plaise E. Spangler discovered a phone at my daughter mother house on ~~108~~ county Rd 132 Athens, T.N., with screen shots of somebody conversation with Deputy Terrid Price with the 10th district Drug Task Force. Me and my daughter mother, Megan Riedel Cherniyot, argued up through Oct. 17, 2020. I told Ms. Cherniyot that I was going to start letting people know cause whatever me and her do effect our daughter. Afterwards, I found myself with Jamie Eden in Ten Mile, T.N. on Oct. 18, 2020 around 2am. Mr. Eden left me at 123 Jones Lane Ten Mile, Tennessee to run down the road for a minute. Around 4am Mr. Eden return in my daughter ~~car~~^{mom} car to pick me up and we left Ten Mile to return my daughter mother car on Athens. Mr. Eden stopped in Niota at one of his friends leaving me in the car as he went in when I notice my phone was missing. So I borrow my daughter mother car to go back to Ten Mile to retrieve my phone that I left. On Oct. 18, 2020 around 8am I returned to 123 Jones Lane, TN to get my phone. As I knocked I was suprize by Wendy Baldwin/Barnette answering the door. Confused I ask Ms. Barnette if Shane Jones was there or did I have the wrong house. Ms. Barnette told me I had the right house but her roommates were at the Dollar General Store on Hwy 304 Ten Mile, Tennessee. I ask Ms. Barnette if she had

License and if she wanted to go hang out. Ms. Barnette said yes but she would have to wait for her roommates to get back. I told her I was in a hurry but if she wanted to go then we could stop by The Dollar General Store on Hwy 304 Ten Mile, Tennessee for her to see her roommates. After she agreed, Ms. Barnette drove us to the ~~store~~ Dollar General Store on Hwy 304 in Ten Mile, Tennessee. At The Dollar General Store, Ms. Barnette got out to give the Key to her roommates and told them she was going to hang out and drive me around for awhile. When Ms. Barnette returned to the car she had a friend of her's name Jason Hetner asking if we could drop him off down the road.

Later on around 10am on 10-18-2020 me and Ms. Barnette was pulled over on Hwy 58 ~~by~~ by Meigs County Sheriff Deputies Mowery and his partner after we left from The Marathon Gas Station on Hwy 58 Decatur, Tennessee. Where I gave Ms. Barnette \$15 to go into the store pay for gas and to get me a lottery ticket. Ms. Barnette returned to the car giving me my ticket and pumped the gas before she got back into the driver seat and drove off. While scratching my ticket Ms. Barnette informed me that we were being blue lighted. After Ms. Barnette almost flipped my daughter mother case 1:21 cv 00249 Document 2 Filed 10/18/21 Page 6 of 36 PageID #: 21
 I told her to stop, I asked her "what the hell?"

Ms. Barnette told me she got nervous as the 2 Deputy approached the car. We were told to step out of the car. Moment later Deputy Mowery came around and handcuff me. Deputy Mowery said I was under arrest but took everything out my pockets. I told the Deputy I was on Miss. Probation in McMinn County. I was placed in the back seat of the Deputy car. Then Sheriff Jacky Melton pulled up and spoke with Ms. Barnette and Deputies. Afterwords, Mr. Melton came and spoke with me. He said that Ms. Barnette claimed I Kidnapped her from, 123 Jones Lane Ten Mile Tennessee, her home at ~~a~~ sword point and forced her into the car and raped her. After made her drive me where we stop at the Marathon Gas station on Hwy 58 Decatur to get gas. As Ms. Barnette paid for gas and a lottery ticket for me she asked ~~the~~ the Clerk for a pen and paper. Where she wrote "He won't let me go" but then came back to the car pump gas and drive away.

I was taken to Meigs County Jail and told I was being booked for P.I. so I asked for a block or breathalyzer and was refused. I place my head on the edge of booking desk and mean I can't believe this. They threw me in a hold cell. At this time Ms. Barnette and Deputy Mowery met with Detective Karen Eschette. Deputy Mowery ^{report} stated he ~~was~~ ^{report} what

Ms. Barnette said to him to the Detective Eschette. Then Detective Eschette did recorded interview Ms. Barnette statement to him on 10-18-2020. Ms. Barnette story slightly changed to I allegedly kidnapped her from her home, 123 Jones Lane Ten Mile Tennessee, and force her to drive me to the Dollar General Store on Hwy 304 Ten Mile Tennessee. Where we picked up an unknown male Subject and gave the unknown male subject a ride to Uncle Gus Restaurant on peakland Rd. Ten Mile Tennessee. Afterwards, we went got me high and I raped her and made her allegedly drive to the Marathon Station on Hwy 58 Decatur Tennessee. Where Ms Barnette went into the store alone and paid for gas and a ticket asked for pen and paper. Wrote "He won't let me go" handed it to the clerk and returned to the car.

Detective Eschette never spoke to me. Although, 2 day in a holding cell I was moved to A block in Meigs County Jail. On 10-21-2020 I was pulled out of A Block around 10:30 pm Fingerprinted and booked into Meigs County Jail on Aggravated Kidnapping, Aggravated Rape, and Aggravated Assault allegedly on Wendy Barnette. The next morning on 10-22-2020 I was arraigned on those 3 Charges in the General Session Court of Meigs County by Honorable Judge Casey Stokes. Judge Stokes appoint the 9th

While waiting my court day for Nov. 5, 2020 I learned a few things about Wendy Baldwin/Barnette. Like Ms. Barnette done the same thing to a man in McMinn County Tennessee. I wrote on the Cobra Kiosk a few times cause my daughter mother was no help. Really I knew over the charges they claimed against me that it would most likely effect her mentally. See Megan Riedel Cheruyot was really brutally raped and assaulted by a repeat rape offender Samuel Brown. She ~~was~~ ~~was~~ was really went through what I was false charged with as if it somebody sick joke.

Anyways, when Nov. 5, 2020 made it I found myself looking foolish cause I didn't see no counsel and was set off until Nov. 19, 2020 with me not even making it to court. Plus I was move with the rest of A Block to D Block cause our test came back negative for Covid19. I was told by other inmates that it was a good thing them putting it off, because they would put it off 3 times and dismiss it. As I waited I learned Ms. Barnette was very well known for lying on people and also the man name in McMinn County had put in Jail, Daryel Bradley. Mr. Bradley lost hrs job at Wa Paca that I heard he worked at Forever and almost lost his marriage due to Ms. Barnette claims against him. I also wrote this on the kiosk on the

Meigs County Jail Cobra Kiosk. On Nov 19, 2020 I still hadn't heard from counsel and didn't get to go to court but once again put off until Dec. 19, 2020. Afterwards, I ask about my bond and was finally told \$150,000 but it would do me no good cause McMinn County had a hold on me for Miss. V.O.P. warrant 20-CR-1659 taking out 10-28-2020. So I cried and other calm me by telling me I'll be out for my daughter 2nd Christmas if Ms. Barnette didn't come Dec. 19, 2020. Well they lied. On Dec. 19, 2020 it was the something, I still didn't even know my lawyer name nor made it to see the Judge and now set off until Jan. 7, 2021. I wrote more complaints and start asking the guards ~~was~~ nonstop and finally found out Susan Fuller was appointed on 10-22-2020. I attempted multiple times to reach Ms. Fuller without any luck. Although, I did get to speak with her on the booking phone on Jan. 7, 2021. Just to hear her tell me we were at the beginning of my case and state offer 20 years to serve. I stated I was innocent and she said ok we would tell the Judge Jan. 14, 2021. I ask why am I being put off again and was told the Judge was not in that day. I informed Ms. Fuller I was very displeased with the 77 days delay to come speak with me and I hope she enjoy the holiday season because

Frankly this was not the beginning, I've been in here missing my new daughter 2nd everything over lies by a well known woman that known for lying and for what. Another woman, Ms. Fuller, to tell me we at the beginning and these are serious charges but she couldn't find her way to the Jail, to see her client until 77 days later. I told her I wrote Nashville BAR and good-bye. On Jan. 14, 2021 Ms. Fuller told the judge Stokes my complaint and was relieved of being my counsel. Judge Stokes then appointed Sherron Randolph out of Bradley County to be my counsel. On Jan. 14, 2021 Mr. Randolph did pulled me out to speak with me at the ~~Meigs~~ Meigs County Jail. I gave Mr. Randolph information I've learned and a motion I wrote myself. Mr. Randolph ask me to give him a little time to check into this and then set my court date for Feb. 18, 2021. as I sit in Meigs County Jail waiting I did get nerve that Mr. Randolph was doing me the same as Ms. Fuller did and sent in another motion to the Meigs County Clerk. I even logged this on Meigs County Jail Kiosk. Although, I was wrong cause Mr. Randolph held to his word that I asked him for on Jan. 14, 2021 and that was will he truly defend me and he said yes. Feb. 18, 2021 General Session Court of Meigs County The Honorable Judge Casey Stokes dismissed the 3 charges

Filed against me, Plaise E. Spangler, on 10-18-2020 by Deputy Mowery and Detective Kevin Eschette with the false claims by Wendy Baldwin / Barnette and directed by 9th district General Session D.A. office to charge Plaise E. Spangler with 1) Aggravated Kidnapping, 2) Aggravated Rape, and 3) Aggravated Assault.

After That I was returned to Meigs County Jail From court to wait as McMinn County was contacted and the court docket, Around 7pm after McMinn County said they wasn't coming to get me for the Misd. V.O.P. Warrant 20-CR-1659 and dropping the hold I was released From Meigs county Jail. Nobody Told me anymore of the Misd V.O.P. and I was left under the impression since the charges were dismiss and ~~the~~ McMinn County had thier hold on me the whole time. The 4 months and 16 days pretrial ~~we~~ had Flatlin the standard 50% given by McMinn County to Flatlin 11/29, Plus jails give 25% good time if inmate stay out of trouble off that 50% making it 4 months and 15 days a person serve on the sentences. And that was why they didn't come transport me From Meigs County Jail 2-18-2021 to answer warrant 20-CR-1659 in McMinn County as demanded by Honorable Judge Richardson. On 2-18-2021 I was released to Find I've been called of everything I could. Not only that

my name was so bad that I couldn't even get a ride on my release back to Athens. So I had ~~to~~ to walk From Decatur, Tennessee to Athens Tennessee. As I made it to 108 county Rd 132 Athens, T.N., 37303 I learned I was homeless once again and also left without the place I normally had to fall back on, 1555 Clay Hollow Rd Sweetwater, T.N., 37874, due to what I've been charged with. Tina McKee also was returning all my mail that came to that address ~~and~~ even though she allowed me to have mail sent there for the last 10 years or so and plus store my belongings there at 1555 Clay Hollow Rd Sweetwater Tennessee.

Reason why I keep referring to Wendy Baldwin/Barnette is because if you google Wendy Barnette it says she died a few years back, but Google Wendy Baldwin and it show the woman that Filed False claims on me that still haven't been punished for it. Plus the had Wendy Barnette on the Affidavit of complaint.

V. Relief

I would like Wendy Baldwin/Barnette to be charge
For her wrongs and public apology to me and \$500,000

I would like Jackie Melton to make a public apology
and \$100,000 for pain and suffering

I would like Deputy N. Mowery Badge #810 to be
Fired and pay me \$100,000 for pain and suffering

I would like Deputy Mowery partner to be Fired
and pay me \$100,000 for pain and suffering

I would like Kevin Eschette to give a public apology
and to be Fired and also pay me \$500,000 for pain
and suffering


I would like Susan Fuller license to practice Law
suspended and also pay me \$500,000 for pain and suffering

I would like Kristen Kelly to give a public apology
and pay for expunge the 3 charges from my record and
also \$500,000 pain and suffering

I would like Jared Price to be fired and to pay me
\$500,000 for pain and suffering

I hereby certify under penalty of perjury that the above
complaint is true to the best of my information, knowledge and
belief.

Signed this 3rd day of October, 2021.


signature of plaintiff

III Parties

A. Please Edward Spangler

P.O. Box 649

Athens, T.N., 37303

Homeless now

107 co. Rd 132

Athens, T.N., 37303

B. Defendant:

(1) McMinn County

McMinn County Tennessee

C. Additional defendants:

② Joe Guy

McMinn County Sheriff

McMinn County Tennessee

c. Additional defendants: ③ Brandon Jenkins
McMinn County Sheriff Deputy
McMinn County Sheriff Department Tennessee

④ Travis Duke
McMinn County Sheriff Deputy
McMinn County Sheriff Department of Tennessee

⑤ Burt Jenkins
McMinn County Sheriff Deputy
McMinn County Sheriff Department of Tennessee

⑥ Kelly Ingles
Attorney out of Henior City Tennessee
Appointed Attorney in General Sessions Court

⑦ R. Wylie Richardson
General Sessions of McMinn County Judge
McMinn County General Sessions Courts of Tennessee

⑧ Tim Wilson
Public Defender Attorney
10th District Public Defender Office of Tennessee

⑨ Andrew Freiberg
10th District Criminal Judge

IV. Statement of Claim

On August 6, 2020 I, Plaise E. Spangler, was placed on McMinn County Misd. Probation by The Honorable Judge Wylie Richardson of the General Sessions Court of McMinn County For 11/29 sentence that was suspended with time served after 14 days or 17 days. Judge Richardson told me to abide the term and rules of my probation, or he would be force to revoke my probation and order me to serve the standard 50% of the 11/29 sentence. Afterwords, I was signed up For McMinn County Probation by Greg Mitchell and then released from McMinn County Justice Center.

On Oct. 18, 2020 I was arrested in Meigs County Tennessee For 3 new Meigs County Charges. I informed the Meigs County Authority that I was currently on Misd. Probation in McMinn County. Then I was given a Covid 19 test. 10 days later on Oct-28, 2020 Greg Mitchell Filed a Violation of Probation warrant (20-CR-1659), listing 4 reasons For Filing the warrant 1) Failure to Report, 2) Failure to pay court cost, fine, and fees, 3) Failure to complete A&D assessment, and 4) For being charged with 3 new Meigs County Charges. On Oct. 28, 2020 warrant 20-CR-1659 placed a hold on Me For McMinn County while I was in Meigs County Custody demishing any opportunity of bonding out

On Feb. 18, 2021 The General Sessions Court of Meigs County Tennessee preside over by the Honorable Judge Casey Stokes dismissed the 3 Meigs County pending Charges around 9am. Afterwards, I was taking back to Meigs County Jail while McMinn County were contacted due to its' hold on me for the warrant 20-CR-1659. Although, around 7pm that evening of Feb. 18, 2021 I was released from custody because McMinn County lifted its' hold on me for the warrant 20-CR-1659. Which left me under the notion that since 50% of 11/29 would be 6 months and county Jails gives 25% of good time off that if the inmate stay out of trouble during serving his time, making a person to serve 4 months and 15 days to complete a 11/29 sentence, I had completed my time and it was all over. So I was released Feb. 18, 2021 to learn I've was rob of my reputation and had to walk from Meigs County Tennessee back to Athens Tennessee. Only to find that I was homeless again. During the next 2 and half months I was stopped by Athens City police 2 times and checked for warrants which came back as I was clear. I also ~~was~~ came into contact with McMinn County Sheriff Deputies but only to the same results being told I didn't have any active warrants. During the month of April 2021 I spoke with Detective Kevin Eschette on the phone about my property that was on my vehicle. I was taking

into Meigs County Custody on Oct. 18, 2020. When I was informed I could pick up what they had at the Meigs County Jail. I also asked The Detective why would he charge somebody with those serious charges when the alleged victim gave 2 different statement and no other circumstances during the incident supported the claims. The Detective told me it was not him but the District Attorney that told him what to charge me with. A few weeks later on May 3, 2021 Deputy Brandon Jenkins and Deputy Travis Duke were on an emergency Herion Overdose 911 call at 108 co. Rd. 132 Athens Tennessee, when somebody at that residence pointed out a mere bystander walking down the road in attempt to redirect Deputies attention. I, Plaise E. Spangler, the mere bystander walking to the Shell Gas Station on South Congress Parkway Athens Tennessee, observed the two McMinn County Sheriff cars race from the scene and head my way. Although, to my surprise they past me while I was walking on Hwy 16, but only to part up in two separated places between me and the Shell Gas Station. Still I continued my walk and after I reached the store I went in to make my purchases. While I was scratching a lottery ticket at the little table inside the store The two Deputies approached me claiming to have an outstanding warrant (20-CR-1659) for my arrest. I informed the Deputies "they must be a mistake because I just got out of Meigs County Jail Feb. 12, 2021 after serving 4 months with the shell for Meigs

county that was placed on me Oct. 28, 2020 that diminished my opportunity to bond out on the 3 pending Meigs County Charges that are even listed as one of the reason for filing the warrant 20-CR-1659 against me. Only for McMinn County to lift its hold on me Feb. 18, 2021 after the General Sessions Court of Meigs County Tennessee dismissed their 3 pending Charges against me, and would give me enough time served towards the warrant 20-CR-1659 that would complete the sentence. Plus, no other officer that stopped me had said anything about an active warrant." But Deputy Jenkins said it was in hand and I cooperated with Authority. The Deputies began a search on me that followed the execution of warrant 20-CR-1659 and started questioning me about herion. I told them multiple times I didn't touch the stuff and didn't like it at all. The Deputies Found one used needle and one bag of methamphetamine during the search that I claimed as personal uses. I was allowed to smoke a cig. while Deputy Duke finished searching my backpack, and Deputy Jenkins venture off talking on the phone or radio. Deputy Duke attempted to question me of where I get the meth. that I use, but I plead the 5th by saying "I respect them for doing their job, but please respect me for not doing their job for them." Afterwords, Deputy Jenkins returned asking again about Herion and finally it dawned on me what kind of emergency call the two Deputies

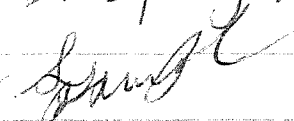
For a reason to harass and justify a search on me. I was then transported to McMinn County Justice Center and booked on warrant 20-CR-1659 and The new charge 21-CR-1213 schedule II for resale around 9:30pm. I was arraigned May 4, 2021 and set for May 13, 2021. On May 13, 2021 Paul Rush attempted to be my assistance even though a conflict of interest exist between his office and me. While raising the conflict of interest to the courts attention and waiting for new counsel, I allow matter 20-CR-1659 to be resolved by me serve to serve my time for the sentence with all my credit for time I had served. Which make the sentence complete before I was arrested on May 3, 2021. Later that day of ~~May~~ May 13 I was appointed Kelly Ingles to assist me. After speaking with Mr. Ingles, he appeared confused on what I was trying to explain about my case but ask to put it off until May 19, 2021. While I was back in front of Judge Richardson a thought came to me and I asked Judge Richardson if I could let Mr. Ingles see both matters? So maybe he would understand what I was trying to ~~explain~~ ^{explain} to him. I was granted my request and after I point out everything I told the Deputies during the incident on May 3, 2021. Mr. Ingles claimed to see what I was saying, but still wanted to put it off until May 19, 2021. I once again cooperated and was put off until May 19, 2021.

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on matter 20-CR-1213, I had a few questions I wrote down that I asked Mr. Ingles to ask during the preliminary and was told Mr. Ingles knew what to ask to win this as he threw the paper back at me. After the preliminary had finished to matter 21-CR-1213, I was surprised with another ~~pre~~ preliminary beginning for matter 20-CR-1659. Mr. Ingles was packing up and not even pay attention during this preliminary. I try to stand to address my confusion to the Courts and almost Physically ~~attacked~~ ^{attacked} by Court Officer Burt Jenkins. I was threaten to stay seated and remain quiet during my day in General Sessions. Afterwords, I was returned to my cell to wait for August 2, 2021 to be arraign for matter 21-CR-1213. I filed complaints on the cobra Kiosk about all this and requested to go to the Jail law library many times. I also logged when I mailed out things relating to court cause the Jail don't allow us to seal out going mail. During July 2021 I completed my attempt in filing a 42 U.S.C. section 1983 but for the part the Jail is supposed to completed certificate My Account. My account has been in debt of \$100 or more since I been here and anytime I do receive a little money the Jail takes 25% ~~off~~ of it towards my debt. After I was able to buy 4 stamps and a big envelope I attempted to mail off my complaint. Since Then I Feel as I have be retaliated against. 1st my arraignment on August 2, 2021 was put off. Out of 3 months requesting to go to the law library I finally was allowed to go to the law library.

const. and State Const. text book to get matters out of to write or attempt to write a motion for dismissal of the matter 21-CR-1213 and also write a P.C.R. to the General Sessions Court in attempts to receive an O.R. bond until pending trial. Neither one did I hear back on. On August 30, 2021 I was arraigned on 21-CR-1213 that was changed by the Criminal Court of McMinn County Tennessee to 21-CR-217 by the Honorable Judge Freiberg. I was sworn in by Judge Freiberg and found indigent, and he appointed the 12th District Public Defender Office to represent me. I claimed the known conflict of interest only for Judge Freiberg to say that he was not my Judge and I would have to address the issue with the Honorable Judge Donahue on Nov. 8, 2021. Afterwords, I rewrote my motion for dismissal using the matter new case number 21-CR-217, but was told I sent it to the wrong address. So I wrote another one and sent it to another address. Finally I received a letter back from the County Clerk telling me that my motion was filed Sept. 8, 2021 and forwarded to the District Attorney and my Attorney. About Sept. 14, 2021 I finally received an email back from Tim Wilson claiming he has a copy of all 3 motions that I filed for a dismissal and we could argue them but they most likely would not be successful. I sent an email back asking if he would send me a letter explaining why arguing violations of my Federal Const and State Const. Rights would not work, case I

got all the information straight from the text book, and I also asked him to send me copies of everything he has toward my case. Although, I haven't heard back from him. So I wrote the Board of responsibility of a complaint and attached a copy of one of my motions asking if some one might see anything wrong with the motion or does the Federal Const. or State Const. Rights really don't matter anymore. I also wrote a motion to dismiss 10th District Public Defender office and a letter to the Clerk, U.S. District Court on the same day. I recieved a ~~response~~^{mail} back from the Clerk, U.S. District Court Eastern District of Tennessee at Chattanooga Oct. 1, 2021 informing me they recieved my letter Sept. 27, 2021 but did not receive my complaint. I have not heard back from the McMinn County Clerk saying that my Motion For dismissing counsel was recieved and Filed. I am attaching a copy of my last motion For hopes that your Honorable Justice may consider to explain if I done anything wrong in writting it up. I apologize For my spelling and Thank you For your time, consideration and help with my problem in this matters.

Respectfully submitted,
 Plaise E. Spangler
 Plaise 

V. Relief

I would like McMinn County to pay me \$1,000,000

I would like Joe Guy to release me from his custody and order his officers to stop harassing me. Also pay me \$500,000 for pain and suffering

I would like Brandon Jenkins fired and pay me \$500,000 for pain and suffering

I would like Travis Duke fired and to pay me \$500,000 for pain and suffering

I would like Burt Jenkins fired and pay me \$500,000 for pain and suffering

I would like Kelly Ingles to pay me \$500,000 for pain and suffering


I would like the Honorable R Wylie Richardson removed from bench and to pay me apology for allowing me to be treated as I was in my preliminary hearing

I would like Honorable Andrew Freiberg removed from bench and pay me \$500,000 for pain and suffering

I would like Tim Wilson to pay me \$500,000 for pain and suffering

I hereby certify under penalty of perjury that the above complaint is true to the best of my information, knowledge, and belief.

Signed this 3rd day of October 2021


Signature of Plaintiff

Motion for Dismissal

I, Plaise E. Spangler, motion the Criminal Courts of McMinn County Tennessee For a Dismissal on case 21-CR-217 State V. Plaise E. Spangler. Reasons for motion:

1. Case 21-CR-217 is made up against Mr. Spangler as Violation of TCA 39-17-417 with Fruit of the poisonous Tree from an illegal search and seizure that took place on May 3, 2021 while Deputies executed a Misd. V.O.P. warrant 20-CR-1659 on Mr. Spangler. United States V. Cotton 708 F. Supp. 841 (M.D. Tenn. 1989)

(A) Although, The search performed by Deputy Brandon Jenkins and Deputy Travis Dulkes on May 3, 2021 at First may appear to be Justify under the 4th Amendment on Mr. Spangler would still be a violation of the 4th Amendment and illegal after being examined. United States V. Cotton 708 F. Supp. 841 (M.D. Tenn. 1989)

(I) The Deputies Justify the search by executing Warrant 20-CR-1659 on Mr. Spangler. United States V. Cotton 708 F. Supp. 841 (M.D. Tenn. 1989)

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(II) By Deputies using warrant 20-CR-1659 as a Tactical Advantage around Mr. Spangler's 4th Amendment on May 3 would trigger a Due Process Claim under the 5th & 14th Amendments for the warrant 20-CR-1659. Finishing requirey CC) State V. Dykes 803 S.W.2d 250 (Tenn. Crim. App. 1990)

(a) The delay on warrant 20-CR-1659 for the prosecution of that warrant on Feb. 18, 2021, by McMinn County lifting its' hold on Mr. Spangler for warrant 20-CR-1659 that was placed on Mr. Spangler Oct. 28, 2020, while Mr. Spangler was in Custody of the Meigs County Authority on 3 new Meigs County charges. State V. Dykes 803 S.W.2d 250 (Tenn. Crim. App. 1990)

(1) The Filing of warrant 20-CR-1659 was on Oct. 28, 2020

(2) The 3 new Meigs County pending Charges was listed as a reason for Filing Warrant 20-CR-1659

(b) Mr. Spangler did sustain prejudice by the delay of prosecution for warrant 20-CR-1659. State V. Dykes 803 S.W.2d 250 (Tenn. Crim. App. 1990)

(1) Mr. Spangler was denied his right to bond out on pending Meigs County Charges since Oct. 28, 2020 until the charges were dismissed by General Sessions of Meigs County on Feb. 18, 2021 to restore Mr. Spangler rights to liberty and life.

(2) Mr. Spangler had to surrender his 4th Amendment on a later date of May 3, 2021 that should not had chance of taking place to bring a new matter 21-CR-217 against Mr. Spangler. United State V. Costner 153 F. 2d 23 (6th Cir. Tenn. 1946)

(III) On May 3, 2021 Deputy Jenkins and Deputy Dukes were dispatched to an emergency Herion Overdose 911 call to at 108 co. Rd. 132, when somebody at that residence directed the Deputies attention to a mere bystander walking down the road. Where the Deputies display negligent to their Duty to the Emergency Herion Overdose 911 call to arrest the bystander for warrant 20-CR-1659 that had nothing to do with Emergency 911 call that the Deputies

40F6

were dispatched ~~to~~ on May 3, 2021.
Smith V. Heath 517 F. Supp. 774 (M.D.
Tenn. 1980), aff'd, 691 F.2d 220 (6th Cir. 1982)
Which would further declare the arrest of
~~(C)~~ Mr. Spangler illegal under the 4th Amendment

(IV) Since the violation of Mr. Spangler 5th &
6th Amendment Rights to Due Process For
warrant 20-CR-1659 took place on Feb. 18, 2021
ex post facto to the search on May 3, 2021.

Render the search illegal not only to
the United States Constitution, United States V.
Cotton 708 F. Supp. 841 (M.D. Tenn. 1989), but
also the Tenn. Const. Art. I, § 7 which is
identical but stricter to unreasonable search
and seizures. Sneed V. State ~~221~~ Tenn.
6, 423 S.W.2d 857 (1968); State V.
Wert, 550 S.W. 2d 1 (Tenn. Crim. App. 1977)
Frankly, Due to the fact that if Mr. Spangler
would had been transported Feb. 18, 2021 to
answer For Warrant 20-CR-1659 that had held
Mr. Spangler since Oct. 28, 2020 than Deputy
Jenkins and Deputy Duke would had no warrant
20-CR-1659 to Justify their search on
Mr. Spangler the 3 day of May 2021.
United States V. Cotton 708 F. Supp. 841
(M.D. Tenn. 1989)

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(B) Without the warrant To Justify the search of Mr. Spangler on May 3, 2021 constituted as an illegal search and seizure, United States V. Cotton 708 F. Supp. 841 (M.D. Tenn. 1989), And 21-CR-217 illegal charge on Mr. Spangler From Fruit of the poisonous tree found during the illegal search performed by Deputy Jenkins and Deputy Duke the 3 day of May 2021. United States V. Costner 153 F. 2d 23 (6th Cir. Tenn. 1946)

(C) Also without the warrant or maybe even if the warrant had been just. Smith V. Heath 517 F. Supp. 774 (M.D. Tenn. 1980), aff'd, 691 F. 2d 220 (6th Cir. 1982); States that Mr. Spangler as a mere bystander walking down the road with nothing to do with the 2 Deputies responsibilities at the moment to the Emergency Heron Overdose 911 call that the 2 Deputies were dispatch to constitute as an illegally arrest under the 4th Amendment. Plus the 4th & 5th Amendment is indispensable to the United States Constitution. Gouled V. United States 255 U.S. 298, 41 S. Ct. 261, 65 L. Ed. 647 (1921)

I swear under oath and under the penalty of perjury that the above statement that make up this Motion

6 of 6

is true to the best of my information, Knowledge,
and belief.

Signed this 6th day of September 2021

Plaise Lomel
Signature of Defendant

Respectfully Submitted
Plaise E. Spangler

Motion To Dismiss

I, Plaise E. Spangler, motion the Criminal Court of McMinn County Tennessee to be allow to dismiss 10th District Public Defender Office as counsel of record in State V. Plaise E. Spangler case # 21-CR-217. Reasons for request:

1. A Known Conflict of interest with the 10th District Public Defender Office that Defendant was refused to raise ~~in~~^{on} August 30, 2021 because Judge Freiberg claiming, He was not the Defendant Judge and The Defendant would have to take the issue up Nov. 8, 2021 with the Honorable Judge Donahue. Which would Deny Defendant his 6th & 14th Amendments right to effective legal assistance

(A) Conflict of Paul Rush has prosecuted Defendant most of the Defendant's life as while Mr. Rush District Attorney.

(B) Paul Rush wife also works out of the same 10th District Public Defender Office which would influence the Office even more prejudice against the Defendant.

2. Mr. Spangler has been in Custody since May 3, 2021 without hardly any legal assistance but finally was able to file a motion for dismissal using the case log straight out of the Federal Const. and State Const. Text Book, only to be told in an email from Tim ^{Wilson} ~~Wilson~~ that Defendant Rights would not be successful arguments. That the Federal Const. and State Const. Rights doesn't matter anymore but refused to come and explain this in person, and bring or mail copies of what Mr. Wilson has towards the Defendant case.

3. Defendant feels as Mr. Wilson refuses to uphold The Rule 5, 04 Creed of Professionalism due to influences in his Office.

4. Defendant is in Custody and Found to be indigent by the McMinn County Tennessee Criminal Court of record but denied Rule 13 Appointment, Qualifications, and Compensation of Counsel for Indigent Defendants, due to Judge ~~Frederick Freiberg~~ Freiberg.

(a) Stating He ^{not} allowed to hear the conflict because he was not Mr. Spangler Judge, but only arranging for the one indictment case 21-CR-217 on August 30, 2021.

32F3

I, Plaise E. Spangler, further request the Criminal Court of McMinn County Tennessee to be allow to be granted my Federal Const. 4th and 14th Amendment to an effective legal assistance of counsel according to rule 13. With all due respect for the courts of record.

I swear under the penalty of perjury that the above statements that make up this Motion is true to the best of my information, knowledge, and belief.

Signed 20th ~~the~~ day of September, 2021

Plaise Spangler

All of which is most respectfully submitted,

By:

Plaise Spangler

Plaise E. Spangler

P.O. Box 649

Athens TN 37303

To whom it May Concerns

I apologize for being unable to get McMinn County Justice Center to fill out the Certificate of inmate account form. The first time I try to mail it out they didn't send it but claimed they did. Although, I wrote your office a letter and was informed that your office hasn't received my complaint. So I have sent one and this copy with two separate people that has gotten out of custody in hope that one of them make it to you because my complaint started Oct. 18, 2020. Part 1 has 9 pages of the complaint and part 2 has 8 pages of complaint. I also motion for counsel to be appointed and also attach two motions that I sent into Criminal Court of McMinn County as merits I believe is what they would call them to part 2 of my complaint for The Honorable Justice viewing. I do apologize for the length but I try my best. Hope it's good. Thank you for your time, consideration, and help with my problem. God bless you.

Respectfully
Praise E. Spangler

0 Box 649
thens, TN, 37303

Eastern District of Tennessee
Office of
Clerk, United States District Court
900 Georgia Avenue, Room 309
Chattanooga, Tennessee, 37402

